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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. **2013-254**

12 **CHIJOKE IHEMADU**
13 323 West Plymouth St., #4
Inglewood, CA 90302

A C C U S A T I O N

14 **Registered Nurse License No. 677106**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing.

21 2. On or about April 5, 2006, the Board of Registered Nursing issued Registered Nurse
22 License Number 677106 to Chijioke Ihemadu (Respondent). The Registered Nurse License was
23 in full force and effect at all times relevant to the changes brought herein and expired on May 31,
24 2011, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Registered Nursing (Board), under
27 the authority of the following laws. All section references are to the Business and Professions
28 Code unless otherwise indicated.

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1 8. California Code of Regulations, title 16, section 1443, states:

2 "As used in Section 2761 of the code, "incompetence" means the lack of possession of or
3 the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and
4 exercised by a competent registered nurse as described in Section 1443.5."

5 9. California Code of Regulations, title 16, section 1443.5, states:

6 "A registered nurse shall be considered to be competent when he/she consistently
7 demonstrates the ability to transfer scientific knowledge from social, biological and physical
8 sciences in applying the nursing process, as follows:

9 "(1) Formulates a nursing diagnosis through observation of the client's physical
10 condition and behavior, and through interpretation of information obtained from the client and
11 others, including the health team.

12 "(2) Formulates a care plan, in collaboration with the client, which ensures that direct
13 and indirect nursing care services provide for the client's safety, comfort, hygiene, and protection,
14 and for disease prevention and restorative measures.

15 "(3) Performs skills essential to the kind of nursing action to be taken, explains the
16 health treatment to the client and family and teaches the client and family how to care for the
17 client's health needs.

18 "(4) Delegates tasks to subordinates based on the legal scopes of practice of the
19 subordinates and on the preparation and capability needed in the tasks to be delegated, and
20 effectively supervises nursing care being given by subordinates.

21 "(5) Evaluates the effectiveness of the care plan through observation of the client's
22 physical condition and behavior, signs and symptoms of illness, and reactions to treatment and
23 through communication with the client and health team members, and modifies the plan as
24 needed.

25 "(6) Acts as the client's advocate, as circumstances require, by initiating action to
26 improve health care or to change decisions or activities which are against the interests or wishes
27 of the client, and by giving the client the opportunity to make informed decisions about health
28 care before it is provided."

1 10. California Code of Regulations, title 16, section 1444, states, in part:

2 "A conviction or act shall be considered to be substantially related to the qualifications,
3 functions or duties of a registered nurse if to a substantial degree it evidences the present or
4 potential unfitness of a registered nurse to practice in a manner consistent with the public health,
5 safety, or welfare."

6 **COST RECOVERY**

7 11. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
8 administrative law judge to direct a licensee found to have committed a violation or violations of
9 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
10 enforcement of the case. Pursuant to Section 125.3, subdivision (i), of the Code "[n]othing in this
11 section shall preclude a board from including the recovery of the costs of investigation and
12 enforcement of a case in any stipulated settlement."

13 **STATEMENT OF FACTS**

14 12. On or about January 22, 2009, while employed as a registered nurse by
15 Brotman Medical Center, located in Culver City, California, Respondent was assigned to care for
16 patient R.L., who had undergone a below the knee amputation, a double mastectomy due to breast
17 cancer, and incision and drainage of an abscess following the breast surgery. The patient had
18 numerous chronic healthcare issues as well as acute conditions requiring admission to the medical
19 center. During Respondent's shift, Respondent documented a drop in the patient's blood pressure,
20 but failed to notify a physician. At 1800 hours, the patient was found by a Certified Nursing
21 Assistant (CNA) with her surgical dressing saturated with bright red blood. When asked about the
22 patient's condition, Respondent complained that "I had to clean up this patient four times today."
23 A check of the patient's vital signs at that time showed extremely low blood pressure and a code
24 was called. The patient was transferred to ICU. The patient survived. Respondent was terminated
25 from employment from Brotman Medical Center for failing to notify a physician of the patient's
26 drop in blood pressure and excessive bleeding.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Gross Negligence)**

3 13. Respondent is subject to disciplinary action under section 2761, subdivisions (a)(1)
4 and (d), on the grounds of unprofessional conduct, as defined in California Code of Regulations,
5 title 16, section 1442, in that on or about January 22, 2009, Respondent was grossly negligent in
6 the care of patient R.L., by failing to recognize and respond to the signs and symptoms of
7 hypovolemic shock¹ and to document same. Complainant refers to and incorporates all the
8 allegations contained in paragraph 12, above, as though set forth fully.

9 **SECOND CAUSE FOR DISCIPLINE**

10 **(Incompetence)**

11 14. Respondent is subject to disciplinary action under section 2761, subdivisions (a)(1)
12 and (d), on the grounds of unprofessional conduct, as defined in California Code of Regulations,
13 title 16, sections 1443 and 1443.5, in that on or about January 22, 2009, Respondent failed to
14 exercise the degree of learning, skill, care and experience ordinarily possessed and exercised by a
15 competent registered nurse with regard to the care of patient R.L. Complainant refers to and
16 incorporates all the allegations contained in paragraphs 12 and 13, above, as though set forth
17 fully.

18 **THIRD CAUSE FOR DISCIPLINE**

19 **(Unprofessional Conduct)**

20 15. Respondent has subjected her license to disciplinary action under section 2761,
21 subdivision (a), in that on or about January 22, 2009, Respondent committed acts of
22 unprofessional conduct with regard to the care of patient R.L. Complainant refers to and
23 incorporates all the allegations contained in paragraphs 12 through 14, above, as though set forth
24 fully.


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27 ¹ Hypovolemic shock is an emergency condition in which severe blood and fluid loss
28 makes the heart unable to pump enough blood to the body. This type of shock can cause many
organs to stop working.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 677106, issued to Chijioke Ihemadu;
2. Ordering Chijioke Ihemadu to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: October 10, 2012


for LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
State of California
Complainant

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